

FARAD CONTINUATION SHEET NO.:
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CIVIL APPLICATION NO.4197 OF 2005
IN
FIRST APPEAL NO.1784 OF 2005

-----:-----
Office Notes, Office Memoranda of : Court's or Judge's orders.
coram, appearances, Court's orders :
or directions and Registrar's :
orders. :
-----:-----

Dr.V.K.Choudhary for applicant.

Mr.A.A.Kumbhakoni with Mr.P.V.Samant
for respondents.

**CORAM : H.L GOKHALE &
SMT.R.S.DALVI, JJ.**
DATED : 13th October 2005

P.C. :
1. Head Dr.Choudhary in
support of this Civil Application.
Mr.Kumbhakoni appears for the
respondents.

2. There will be a stay of
the impugned decree dated
18.2.2005 as sought through prayer
clause (a) on deposit of the
decretal amount in the trial
Court. Dr.Choudhary states that
the amount will be deposited
within four weeks hereafter.

3. On the amount being so deposited, it will be open to the respondents to withdraw the same by giving a Bank Guarantee of a Nationalised Bank which will have to be kept alive during the pendency and disposal of the Appeal. The Bank Guarantee of a Nationalised Bank be given within four weeks thereafter. In the event the Bank Guarantee is not so given, the trial Court will invest the deposited amount in a Nationalised Bank for a period of 37 months to begin with and continue to renew the deposit by 13 months at a time until appropriate orders are received from the Court. Civil Application stands disposed of.

(H.L.GOKHALE, J.)

(SMT.R.S.DALVI, J.)